

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-16822 of 2020

Date of Decision: 17.12.2020

Harjinder Singh

...Petitioner (s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Parvesh Sachdeva, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Vaibhav Nagori, Advocate
for the complainant.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 438 CrPC is for grant of anticipatory bail to the petitioner in case FIR No.26 dated 21.02.2020 under Sections 376/506 IPC and Section 6 POCSO Act registered at Police Station City Jalalabad, District Fazilka.

Learned counsel for the petitioner states that pursuant to order dated 29.06.2020 of this Court, the petitioner has joined investigation.

Learned State counsel, on instructions from SI Joginder Kumar, does not dispute the fact that the petitioner has joined the investigation and submits that the custodial interrogation of the petitioner is no more required.

However, learned counsel for the complainant has opposed the bail application.

I have heard learned counsel for the parties.

Admittedly, the allegation of rape is against the co-accused. Considering the fact that the petitioner has joined investigation and his custodial interrogation is no more required, the present petition is allowed and the interim order dated 29.06.2020 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

December 17, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No